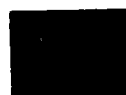


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26 July 2001

Should be
2002**(U) DCI Talking Points for
Meeting with the President****(S//NF) Next Phase of the Abu Zubaydah Interrogation**

1. ~~(TS)~~ [] /NF) PURPOSE: To advise the President that we are confident of our legal position and need to move forward immediately with the next phase of the Abu Zubaydah interrogation.

(b)(1)
(b)(3)

2. ~~(TS)~~ [] /NF) BACKGROUND: As you know, we need to implement more aggressive techniques in our interrogation of Abu Zubaydah, in order to obtain actionable intelligence about al-Qa'ida operatives in the United States. Without that critical and time-sensitive intelligence, it is quite likely that many more Americans will die -- perhaps very soon. The Attorney General has advised us that the new techniques are permitted under U.S. law -- and in particular, the U.S. statutes that implement this nation's commitments under the international Convention Against Torture. **You may wish to make the following points:**

(b)(1)
(b)(3)

- We believe that Abu Zubaydah continues to withhold critical threat information, including the identities of al-Qa'ida operatives in the United States who may well be planning imminent attacks that will cause mass casualties.
- In order to persuade him to provide those identities, the use of more aggressive techniques is required. Some of these techniques incorporate mild physical pressure, while others may place Abu Zubaydah in fear for his life. All have been used for years in U.S. military resistance training, with no demonstrable adverse effects upon the trainees.
- Abu Zubaydah is an extraordinarily capable opponent, who instructed al-Qa'ida operatives in interrogation resistance techniques, may well have written a seminal al-Qa'ida manual on resistance, and has consistently displayed extremely strong resistance skills.
- Accordingly, the use of these aggressive techniques, specifically including the water board, is required. The water board is an intense physical and psychological stressor used by the U.S. Navy in its interrogation resistance training for the Navy SEALs. The Department

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of Defense has reported that the use of the water board produces student capitulation and compliance 100 percent of the time.

- It is neither intended nor expected that Abu Zubaydah suffer severe physical or mental pain from the use of the water board. Appropriately trained medical personnel will be present throughout the process, and the Attorney General has confirmed that the planned techniques, although aggressive, are permitted under applicable U.S. law.
- Further delay in the implementation of these and related techniques is not warranted by any legal or medical requirements. Indeed, such delay only enhances the ability of al-Qa'ida to continue its work, and thereby directly increases the likelihood of a catastrophic attack against the United States and its citizens.
- Details of the water board:

With this procedure, individuals are bound securely to an inclined bench. Initially a cloth is placed over the subject's forehead and eyes. As water is applied in a controlled manner, the cloth is slowly lowered until it also covers the mouth and nose. Once the cloth is saturated and completely covering the mouth and nose, subject would be exposed to 20 to 40 seconds of restricted airflow. Water is applied to keep the cloth saturated. After the 20 to 40 seconds of restricted airflow, the cloth is removed and the subject is allowed to breathe unimpeded. After 3 or 4 full breaths, the procedure may be repeated. Water is usually applied from a canteen cup or small watering can with a spout.

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